IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINETEENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 301 of 2005

Between:

T. Sujatha W/o T. Narasimha Reddy
F.P. Shop Dealer R/o Paidipalle Village, Channubatla Post,

Tirupathi Rural mandal,
Chittoor District

..... PETITIONER

AND

1 The Joint Collector, Chittoor, Chittoor District
2 The Revenue Divisional Officer, Tirupathi, Chittoor District
3 The Mandal Revenue Officer, Tirupathi Rural Mandal,

Tirupathi Chittoor District

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of mandamus declaring the order of the 1st respondent herein appeal dt 11-1-2005 filed by the petitioner pending without finalisation before the 1st respondent and proceedings order of the 2nd respondent R.O.C. C/626/2004 dt 3-1-2004 calling for application for appointment F.P. Shop dealer in the place of the petitioner as illegal, void arbitrary, unjust and consequently direct the respondents to continue the petitioner as Fair Price shop Dealer of Paidipalle Village, Channubatla Post Tirupathi Rural Mandal, Chittoor District pending disposal of the Appeal of the petitioner before the 1st respondent.

Counsel for the Petitioner: MRA.SAMIR KUMAR REDDY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the admission stage made the following :

ORDER:

The petitioner was appointed as a Fair Price Shop Dealer on temporary basis, initially in the year 2001. Thereafter, it is being renewed and extended from time to time. Petitioner states that there are no complaints against her, as regards the distribution of essential commodities.

The 2nd respondent issued a notice, dated 03.01.2005 inviting applications from the eligible candidates for appointment as Dealer for the very shop. Petitioner feels aggrieved by the same.

Heard learned counsel for the petitioner and learned Government Pleader for Civil Supplies.

The appointment of the petitioner on earlier occasion was only on temporary basis. By its very nature, the temporary appointment is up to a specified period. No exception can be taken to the action of the 2nd respondent in proposing to appoint a Dealer on regular basis. The petitioner claims to have made an application for the same. In case, the performance of the petitioner for the past 3 or 4 years has been satisfactory, it would be a factor that can certainly weigh with the 2nd respondent.

Hence, the writ petition is disposed of, directing that the case of the petitioner shall also be considered for the purpose of appointment as Fair Price Shop Dealer, for the

shop in question, along with other eligible candidates. There shall be no order as to costs.

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19.01.2005

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To

1 The Joint Collector, Chittoor, Chittoor District
2 The Revenue Divisional Officer, Tirupathi, Chittoor District
3 The Mandal Revenue Officer, Tirupathi Rural Mandal,

Tirupathi Chittoor District

4 2CCs to the G.P for Civil Supplies, High Court Buildings,

Hyderabad(O.U.T).

5 2CD copies